

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of

Ellen Simon for Congress and Gael
Summer, in his official capacity as
treasurer; Ellen Simon

)
)
) MUR 5840
)
)

CORRECTED CERTIFICATION

I, Mary W. Dove, Secretary of the Federal Election Commission, do hereby
certify that on February 06, 2009, the Commission decided by a vote of 5-0 to take the
following actions in MUR 5840:

1. Take no further action as to Ellen Simon for Congress and Gael Summer,
in his official capacity as treasurer, with respect to the 2 U.S.C. § 434(b)
reason to believe finding regarding the failure to submit contributor
information.
2. As a matter of prosecutorial discretion, take no further action as to Ellen
Simon for Congress and Gael Summer, in his official capacity as treasurer,
in connection with its violation of 2 U.S.C. § 434(b) for misreporting loans.
3. Approve the Factual and Legal Analysis, as recommended in General
Counsel's Report #2 dated January 27, 2009.
4. Approve the appropriate letters.
5. Close the file.

Commissioners Bauerly, Hunter, McGahn II, Petersen, and Walther voted
affirmatively for the decision. Commissioner Weintraub recused herself with respect
to this matter and did not vote.

Attest:

February 11, 2009
Date

Mary W. Dove
Mary W. Dove
Secretary of the Commission

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